

locations, and aggregates under this paragraph shall be considered the appropriate limits, allocations, and aggregates for purposes of congressional enforcement of this Act and concurrent budget resolutions under this Act.

### (2) Reporting revised suballocations

Following the adjustments made under paragraph (1), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to sections 633(b) and 665a(b) of this title to carry out this subsection.

### (3) Definitions

As used in this section, the terms “continuing disability reviews”, “additional new budget authority”, and “additional outlays” shall have the same meanings as provided in section 251(b)(2)(H)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 [2 U.S.C. 901(b)(2)(H)(ii)].

(Pub. L. 93-344, title VI, § 606, as added Pub. L. 101-508, title XIII, § 13111, Nov. 5, 1990, 104 Stat. 1388-606; amended Pub. L. 104-121, title I, § 103(c), Mar. 29, 1996, 110 Stat. 849; Pub. L. 104-193, title II, § 211(d)(5)(C), Aug. 22, 1996, 110 Stat. 2192.)

#### REFERENCES IN TEXT

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (b), is title II of Pub. L. 99-177, Dec. 12, 1985, 99 Stat. 1038, as amended, which enacted chapter 20 (§ 900 et seq.) and sections 654 to 656 of this title, amended sections 602, 622, 631 to 642, and 651 to 653 of this title, sections 1104 to 1106, and 1109 of Title 31, Money and Finance, and section 911 of Title 42, The Public Health and Welfare, repealed section 661 of this title, enacted provisions set out as notes under section 900 of this title and section 911 of Title 42, and amended provisions set out as a note under section 621 of this title. Part C of the Act is classified generally to subchapter I (§ 900 et seq.) of chapter 20 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 900 of this title and Tables.

The enactment of the Contract with America Advancement Act of 1996, referred to in subsec. (e)(1)(A), means the date of enactment of Pub. L. 104-121, which was approved Mar. 29, 1996.

This Act, referred to in subsec. (e)(1)(D), means Pub. L. 93-344, July 12, 1974, 88 Stat. 297, as amended, known as the Congressional Budget and Impoundment Control Act of 1974, which enacted chapters 17, 17A, and 17B, and section 190a-3 of this title and sections 11a, 11c, 11d, 1020a of former Title 31, Money and Finance, amended sections 11, 665, 701, 1020, 1151, 1152, 1153, and 1154 of former Title 31, section 105 of Title 1, General Provisions, sections 190b and 190d of this title, repealed sections 571 and 581c-1 of former Title 31, and sections 66 and 81 of this title, and enacted provisions set out as notes under sections 190a-1, 621, 632, and 682 of this title, section 105 of Title 1, and section 1020 of former Title 31. For complete classification of this Act to the Code, see Short Title note set out under section 621 of this title and Tables.

#### PRIOR PROVISIONS

A prior section 606 of Pub. L. 93-344, title VI, July 12, 1974, 88 Stat. 325, was classified to section 661 of this title, prior to repeal by Pub. L. 99-177, title II, § 223, Dec. 12, 1985, 99 Stat. 1060.

#### AMENDMENTS

1996—Subsec. (e). Pub. L. 104-121 added subsec. (e). Subsec. (e)(1)(B). Pub. L. 104-193 inserted at end “If the adjustments referred to in the preceding sentence

are made for an appropriations measure that is not enacted into law, then the Chairman of the Committee on the Budget of the House of Representatives shall, as soon as practicable, reverse those adjustments. The Chairman of the Committee on the Budget of the House of Representatives shall submit any adjustments made under this subparagraph to the House of Representatives and have such adjustments published in the Congressional Record.”

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 14211.

## CHAPTER 17B—IMPOUNDMENT CONTROL AND LINE ITEM VETO

### SUBCHAPTER I—GENERAL PROVISIONS

Sec.

681. Disclaimer.

### SUBCHAPTER II—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS, RESERVATIONS, AND DEFERRALS OF BUDGET AUTHORITY

682. Definitions.

683. Rescission of budget authority.

(a) Transmittal of special message.

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684. Proposed deferrals of budget authority.

(a) Transmittal of special message.

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685. Transmission of messages; publication.

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688. Procedure in House of Representatives and Senate.

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### SUBCHAPTER III—LINE ITEM VETO

691. Line item veto authority.

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(b) Identification of cancellations.

(c) Exception for disapproval bills.

691a. Special messages.

(a) In general.

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691b. Cancellation effective unless disapproved.

(a) In general.

(b) Commensurate reductions in discretionary budget authority.

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(a) In general.

(b) Adjustments to spending limits.

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691d. Expedited congressional consideration of disapproval bills.

(a) Receipt and referral of special message.

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- (c) Introduction of disapproval bills.
- (d) Consideration in House of Representatives.
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- 691e. Definitions.
- 691f. Identification of limited tax benefits.
  - (a) Statement by Joint Tax Committee.
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  - (d) Congressional identifications of limited tax benefits.
- 692. Judicial review.
  - (a) Expedited review.
  - (b) Appeal to Supreme Court.
  - (c) Expedited consideration.

## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 22 section 3224a; title 31 section 1512; title 42 section 6240.

## SUBCHAPTER I—GENERAL PROVISIONS

## SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 691 of this title.

**§ 681. Disclaimer**

Nothing contained in this Act, or in any amendments made by this Act, shall be construed as—

- (1) asserting or conceding the constitutional powers or limitations of either the Congress or the President;
- (2) ratifying or approving any impoundment heretofore or hereafter executed or approved by the President or any other Federal officer or employee, except insofar as pursuant to statutory authorization then in effect;
- (3) affecting in any way the claims or defenses of any party to litigation concerning any impoundment; or
- (4) superseding any provision of law which requires the obligation of budget authority or the making of outlays thereunder.

(Pub. L. 93-344, title X, §1001, July 12, 1974, 88 Stat. 332.)

## REFERENCES IN TEXT

This Act, referred to in provision preceding par. (1), means Pub. L. 93-344, July 12, 1974, 88 Stat. 297, as amended, known as the Congressional Budget and Impoundment Control Act of 1974, which enacted chapters 17, 17A, and 17B, and section 190a-3 of this title and sections 11a, 11c, 11d, 1020a of former Title 31, amended sections 11, 665, 701, 1020, 1151, 1152, 1153, and 1154 of former Title 31, section 105 of Title 1, General Provisions, sections 190b and 190d of this title, repealed sections 571 and 581c-1 of former Title 31 and sections 66 and 81 of this title, and enacted provisions set out as notes under sections 190a-1, 621, 632, and 682 of this title, section 105 of Title 1, and section 1020 of former Title 31. For complete classification of this Act to the Code, see Short Title note set out under section 621 of this title and Tables.

## CODIFICATION

Section was formerly classified to section 1400 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, §1, Sept. 13, 1982, 96 Stat. 877.

## EFFECTIVE DATE

Chapter effective July 12, 1974, see section 905(a) of Pub. L. 93-344, set out as a note under section 621 of this title.

## SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-130, §1, Apr. 9, 1996, 110 Stat. 1200, provided that: "This Act [enacting subchapter III (§691 et seq.) of this chapter and provisions set out as a note under section 691 of this title and amending provisions set out as notes under section 621 of this title] may be cited as the 'Line Item Veto Act'."

## SHORT TITLE

Section 1(a) of Pub. L. 93-344 (set out as a note under section 621 of this title) provided, in part, that: "Parts A and B of title X [subchapters I and II of this chapter] may be cited as the 'Impoundment Control Act of 1974'. Part C of title X [subchapter III of this chapter] may be cited as the 'Line Item Veto Act of 1996'."

## SUBCHAPTER II—CONGRESSIONAL CONSIDERATION OF PROPOSED RESCISSIONS, RESERVATIONS, AND DEFERRALS OF BUDGET AUTHORITY

## SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 691 of this title.

**§ 682. Definitions**

For purposes of sections 682 to 688 of this title—

- (1) "deferral of budget authority" includes—

- (A) withholding or delaying the obligation or expenditure of budget authority (whether by establishing reserves or otherwise) provided for projects or activities; or

- (B) any other type of Executive action or inaction which effectively precludes the obligation or expenditure of budget authority, including authority to obligate by contract in advance of appropriations as specifically authorized by law;

- (2) "Comptroller General" means the Comptroller General of the United States;

- (3) "rescission bill" means a bill or joint resolution which only rescinds, in whole or in part, budget authority proposed to be rescinded in a special message transmitted by the President under section 683 of this title, and upon which the Congress completes action before the end of the first period of 45 calendar days of continuous session of the Congress after the date on which the President's message is received by the Congress;

- (4) "impoundment resolution" means a resolution of the House of Representatives or the Senate which only expresses its disapproval of a proposed deferral of budget authority set forth in a special message transmitted by the President under section 684 of this title; and

- (5) continuity of a session of the Congress shall be considered as broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain shall be excluded in the computation of the 45-day period referred to in paragraph (3) of this section and in section 683 of this title, and the 25-day periods referred to in sections 687 and 688(b)(1) of this title. If a special message is transmitted under section 683 of this title during any Congress and the last session of such Congress adjourns sine die before the expiration of 45 calendar days of continuous session (or a special message is so